

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONNIE LEE MOODY,

Plaintiff,

v.

OFFICER SANCHEZ, et al.,

Defendants.

No. C 09-2259 JSW (PR)

**ORDER GRANTING EXTENSION OF  
TIME**

(Docket No. 39 and 40)

Defendants have filed a second motion for an extension of time in which to file a motion for summary judgment. Defendants' prior motion was granted, and they were given an extension of sixty days in which to file such a motion. Now Defendants request an additional extension of four more months. Defendants are granted an additional three months, to and including **May 10, 2011**, in which to file their motion. No further extensions of time will be granted.

There is some confusion about the state of plaintiff's pleadings. Plaintiff filed a document entitled "First Amended Complaint" on April 23, 2010, and it was docketed as an "Amended Complaint" (docket number 22). On August 31, 2010, Plaintiff filed

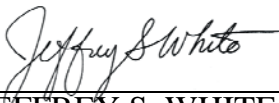
1 document entitled "First Amended Complaint" that was docketed as the "Second  
2 Amended Complaint" (docket number 28). The latter was served upon defense counsel on  
3 December 14, 2010, but because it was entitled "First Amended Complaint," defense  
4 counsel believes that he was not served with the "Second Amended Complaint." There is  
5 no document entitled "Second Amended Complaint." Rather, the operative pleading in  
6 this case is the document filed on August 31, 2010 entitled "First Amended Complaint"  
7 but docketed as "Second Amended Complaint" (docket number 28), and this is the  
8 pleading upon which defendants should base their motion.

9 Plaintiff's opposition is due within **30 days** of the date any dispositive motion is  
10 filed, and Defendants **shall** file a reply brief within **15 days** of the date any opposition is  
11 filed. All other provisions of the Order of September 29, 2010, not inconsistent with this  
12 order remain in effect.

13 This order terminates docket numbers 39 and 40.

14 IT IS SO ORDERED.

15 DATED: February 1, 2011

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18 JEFFREY S. WHITE  
19 United States District Judge  
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1  
2 UNITED STATES DISTRICT COURT  
3 FOR THE  
4 NORTHERN DISTRICT OF CALIFORNIA  
5

6 RONNIE LEE MOODY,

7 Plaintiff,

8 v.

9 SALAZAR et al,

10 Defendant.  
11 \_\_\_\_\_/

Case Number: CV09-02259 JSW

**CERTIFICATE OF SERVICE**

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
District Court, Northern District of California.

13 That on February 1, 2011, I SERVED a true and correct copy(ies) of the attached, by  
14 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter  
15 listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an  
inter-office delivery receptacle located in the Clerk's office.

16 Ronnie Lee Moody Prisoner Id T54036  
17 25 Marist Court  
San Francisco, CA 94124

18  
19 Dated: February 1, 2011



Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk